

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SINGLE CHAIN MONOCLONAL ANTIBODY FUSION REAGENTS THAT REGULATE TRANSCRIPTION IN VIVO** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I have also identified below any foreign application for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

Priority Claimed

Number Country Day/Month/Year Filed (Yes or No)

N/A

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status

N/A

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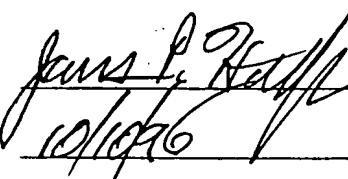
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MR 10/10/96

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Furthermore:

I hereby appoint Patrick H. Higgins, Attorney at Law, CA Bar No. 171180, USPTO Reg. No. 39,709, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to PATRICK H. HIGGINS, 317 Kolmar Avenue, La Jolla, California, 92037 - Telephone No. (619) 454 - 0649.

Full name of one
joint inventor: James P. Hoeffler

Inventor's signature: 
10/10/96

Date: 10/10/96

Residence: Carlsbad, California

Post Office Address: 957 Jasmine Court

Carlsbad, California 92009

Citizenship: USA

Full name of one
joint inventor: Marijane Russell

Inventor's signature: 
10/10/96

Date: 10/10/96

Residence: San Diego, California

Post Office Address: 5175 Luigi Terrace #36

San Diego, California 92122

Citizenship: USA

Correspondence to:

Patrick H. Higgins, Law office of
317 Kolmar Avenue, La Jolla CA 92037 ▲ (619) 454 - 0649

Atty. Dkt. No. 0322/225

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James P. Hoefler et al.
Title: SINGLE CHAIN MONOCLONAL ANTIBODY FUSION REAGENTS
THAT REGULATE TRANSCRIPTION IN VIVO
Application No.: 08/728,890
Filing Date: October 10, 1996
Examiner: S. Ungar
Group Art Unit: 1642

REVOCATION OF PRIOR POWERS OF ATTORNEY BY APPLICANT
APPOINTMENT OF NEW POWER OF ATTORNEY BY APPLICANT
CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned applicant in the above identified patent application hereby certifies that it is the assignee of the entire right, title and interest by virtue of an assignment from the inventors duly recorded in the U.S. Patent and Trademark Office on October 10, 1996 at Reel: 8339 and Frame: 0221 (See document attached for details), and hereby revokes all previous powers of attorney in connection with this application and appoints the following registered attorneys and agents of the law firm of FOLEY & LARDNER as its principal attorneys to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, to transact all business in the United States Patent and Trademark Office connected therewith, and to have full power of substitution, association, and revocation, including the power to revoke the power of attorney of any associate attorney:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,674
JOHN J. HELDHAUS	Reg. No. 26,822
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LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSEN	Reg. No. 25,735
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Please direct all future correspondence concerning this application to:

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Executed this 28 day of August, 2001.

Respectfully submitted,

INVITROGEN CORPORATION

By:

John A. Cottingham
(Signature)

John A. Cottingham

(Printed Name)

Vice President,

General Counsel & ~~Assistant~~ Secretary

(Title)

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ASSIGNMENT

FOR VALUE RECEIVED, WE, James P. Hoeffler, and Marijane Russell, hereby sell, assign and transfer unto INVITROGEN Corporation as assignee, and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions relating to **SINGLE CHAIN MONOCLONAL ANTIBODY FUSION REAGENTS THAT REGULATE TRANSCRIPTION IN VIVO** described in an application for Letters Patent of the United States, executed by us on this tenth (10th) day of October, 1996, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

We request that any and all patents for said inventions be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by us or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

Signed at INVITROGEN Corporation, San Diego, California, this tenth (10th) day of October, 1996.

James P. Hoeffler
James P. Hoeffler

10/10/96
Date

Marijane Russell
Marijane Russell

10/10/96
Date

Witness: Theresa J. O'Leary

10/10/96
Date

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